AMENDMENT

Rejections under 35 U.S.C. § 112

Claims 1-61 are pending in the present application. Claims 1-45 have been previously rejected. Claims 46-61 have been added.

The word "dynamically" was added to claims 1, 12, 20, and 25 in response to the first Office Action to expressly recite an implicit feature of the originally examined claims. (See response filed October 9, 2002) In response to a new matter rejection made by the Office, claims 1, 12, 20, and 25 were amended to use original claim language to further prosecution, and the and unambiguous meaning of the phrase "enabling detection" was argued. In an Advisory Action dated March 21, 2003, the Office states that because the cited art, specifically Bock and Galbi, have error detection and correction that it must be enabled.

It is respectfully disagreed that having error detection, as cited by the Office, is analogous to enabling detection of an error in the manner stated in claim 1. However, in the interest of further clarifying the invention, claims 1, 12, 20, and 25 have been amended to recite enabling detection of a condition that identifies as an error a packet stream that is scrambled by asserting a field of a register. The art of record does not disclose or suggest this limitation. For this reason, allowance of claims 1, 12, 20, and 25, and their dependent claims is respectfully requested.

Independent Claim 32 was rejected by the Office under Section 103 as being unpatentable over Nuber in view of Galbi. Claim 32 recites sending an error indicator to a video decoder processor when it is determined an error occurs. Neither Nuber nor Galbi disclose or suggest, alone or in combination, sending an error indicator to a video encoder. Furthermore, neither Nuber nor Galbi disclose a method of detecting an error and sending an error indicator as recited in claim 1. However, in order to clarify the recited invention of claim 32, a step of setting a register field to enable sending an error indicator has been added. The art of record does not disclose or suggest this limitation. For this reason, allowance of claim 32 and its dependent claims is respectfully requested.

The Office has rejected claim 45 over Nuber in view of Galbi. Claim 45 has been amended to recite an error detector, to detect an error in the at least a portion of the packet,

having an input coupled to the output of the parser and an output to provide an error indicator, and a compressed video data node coupled to the output of the error generator. Neither Nuber nor Galbi disclose or suggest, alone or in combination, an error detector as recited in amended claim 45. For this reason, allowance of claim 32 and its dependent claims is respectfully requested.

In addition to the independent claims, each of the dependent claims provides additional non-obvious elements. For example, claim 3 recites identifying as an error a <u>PES stream that is scrambled</u>. This is not the same as identifying a transport packet that is scrambled, as asserted by the Office. In addition, claim 21 recites maintaining a packet count used to determine a continuity error rate. This is not disclosed in the art of record, which only maintains discrepancy count to determine if more than one discrepancy has occurred. (See top of column 5 of Nuber.) Claims 26-29 identify specific syntax conditions if not properly met will result in a syntax error.

Claims 46 through 61 have been added. Support for claims 46 through 61 is found throughout the specification, and generally in FIGs. 48-53, and application pages 88-92.

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

J. Gustav Larson, Reg. No. 39,263
Attorney for Applicant(s)
TOLER, LARSON & ABEL, L.L.P.
P.O. Box 29567
Austin, Texas 78755-9567
(512) 327-5515 (phone)
(512) 327-5452 (fax)